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**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:16-cv-05829-NGG-SMG**

Center for Popular Democracy v. Board of Governors of the Federal Reserve System  
Assigned to: Judge Nicholas G. Garaufis  
Referred to: Magistrate Judge Steven M. Gold  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/19/2016  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Center for Popular Democracy**

represented by **Stephen Paul Berzon**

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V.

**Defendant**

**Board of Governors of the Federal Reserve  
System**

represented by **Edwin R. Cortes**

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Date Filed	#	Docket Text
10/19/2016	<a href="#">1</a>	COMPLAINT <i>FOR DECLARATORY AND INJUNCTIVE RELIEF</i> against Board of Governors of the Federal Reserve System filing fee \$ 400, receipt number 0207-9002102 Was the Disclosure Statement on Civil Cover Sheet completed -Yes,, filed by Center for Popular Democracy. (Attachments: # <a href="#">1</a> Civil Cover Sheet, # <a href="#">2</a> Proposed Summons, # <a href="#">3</a> Exhibit) (Brown, Eric) (Entered: 10/19/2016)
10/21/2016		Case Assigned to Judge Nicholas G. Garaufis and Magistrate Judge Steven M. Gold. Please download and review the Individual Practices of the assigned Judges, located on our <a href="#">website</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Davis, Kimberly) (Entered: 10/21/2016)
10/21/2016	<a href="#">2</a>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <b>if</b> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b>only if all</b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.</b> (Davis, Kimberly) (Entered: 10/21/2016)
10/21/2016	<a href="#">3</a>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Davis, Kimberly) (Entered: 10/21/2016)
10/21/2016	<a href="#">4</a>	Summons Issued as to Board of Governors of the Federal Reserve System, U.S. Attorney and U.S. Attorney General (Davis, Kimberly) (Entered: 10/21/2016)
11/01/2016	<a href="#">5</a>	SUMMONS Returned Executed by Center for Popular Democracy. Board of Governors of the Federal Reserve System served on 10/25/2016, answer due 11/26/2016. (Brown, Eric) (Entered: 11/01/2016)
11/01/2016	<a href="#">6</a>	CERTIFICATE OF SERVICE by Center for Popular Democracy re <a href="#">1</a> Complaint, <a href="#">4</a> Summons Issued as to USA (Brown, Eric) (Entered: 11/01/2016)
11/22/2016	<a href="#">7</a>	Consent MOTION for Extension of Time to File Answer <i>or Otherwise Move with Respect to the Complaint</i> by Board of Governors of the Federal Reserve System. (Cortes, Edwin) (Entered: 11/22/2016)
11/22/2016		ORDER: <a href="#">7</a> Motion for Extension of Time to Answer is hereby GRANTED. Board of Governors of the Federal Reserve System answer due 12/15/2016. Ordered by Magistrate Judge Steven M. Gold on 11/22/2016. (Gillespie, Saudia) (Entered: 11/22/2016)

11/22/2016	<a href="#">8</a>	SCHEDULING ORDER: An in-person initial conference will be held at 10:00 a.m. on February 15, 2017 before the undersigned in Courtroom 13-D South. Counsel for all parties must attend. Counsel for plaintiff is directed to immediately confirm this conference date and time with defendant's counsel. Adjournment requests will not be considered unless made in accordance with this Court's Individual Rules. Ordered by Magistrate Judge Steven M. Gold on 11/22/2016. (Attachments: # <a href="#">1</a> Chambers Individual Rules) (Gillespie, Saudia) (Entered: 11/22/2016)
12/15/2016	<a href="#">9</a>	ANSWER to <a href="#">1</a> Complaint, by Board of Governors of the Federal Reserve System. (Cortes, Edwin) (Entered: 12/15/2016)
12/21/2016	<a href="#">10</a>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 150, receipt number 0207-9154546. by Center for Popular Democracy. (Attachments: # <a href="#">1</a> Notice of Motion, # <a href="#">2</a> Affidavit in Support) (Chan, Connie) (Entered: 12/21/2016)
12/21/2016		NOTICE: re <a href="#">10</a> MOTION for Leave to Appear Pro Hac Vice. Counsel shall submit a Certificate of Good Standing (using the ECF Event "Letter") which has been issued within thirty (30) days of filing as required by Local Rule 1.3 (Gillespie, Saudia) (Entered: 12/21/2016)
01/03/2017	<a href="#">11</a>	Letter <i>Certificate of Good Standing</i> by Center for Popular Democracy (Chan, Connie) (Entered: 01/03/2017)
01/04/2017		ORDER: <a href="#">10</a> Motion for Leave to Appear Pro Hac Vice is hereby GRANTED. Attorney Connie K. Chan shall register for ECF, registration is available online at the NYEDs homepage. Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of activity in this case. Also, the attorney shall ensure that the \$150 admission fee be submitted to the Clerks Office. Ordered by Magistrate Judge Steven M. Gold on 1/4/2017. (Gillespie, Saudia) (Entered: 01/04/2017)
01/18/2017	<a href="#">12</a>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 150, receipt number 0207-9213408. by Center for Popular Democracy. (Attachments: # <a href="#">1</a> Notice of Motion, # <a href="#">2</a> Affidavit in Support) (Berzon, Stephen) (Entered: 01/18/2017)
01/18/2017	<a href="#">13</a>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 150, receipt number 0207-9213450. by Center for Popular Democracy. (Attachments: # <a href="#">1</a> Notice of Motion, # <a href="#">2</a> Affidavit in Support) (Weissglass, Jonathan) (Entered: 01/18/2017)
01/18/2017		ORDER: <a href="#">12</a> Motion for Leave to Appear Pro Hac Vice is hereby GRANTED. Counsel Stephen Paul Berzon shall register for ECF, registration is available online at the NYEDs homepage. Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of activity in this case. Also, the attorney shall ensure that the \$150 admission fee be submitted to the Clerks Office. Ordered by Magistrate Judge Steven M. Gold on 1/18/2017. (Gillespie, Saudia) (Entered: 01/18/2017)
01/18/2017		ORDER: <a href="#">13</a> Motion for Leave to Appear Pro Hac Vice is hereby GRANTED. Counsel Jonathan David Weissglass shall register for ECF, registration is available online at the NYEDs homepage. Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of activity in this case. Also, the attorney shall ensure that the \$150 admission fee be submitted to the Clerks Office. Ordered by Magistrate Judge Steven M. Gold on 1/18/2017. (Gillespie, Saudia) (Entered: 01/18/2017)
01/30/2017	<a href="#">14</a>	NOTICE of Appearance by Stephen Paul Berzon on behalf of Center for Popular Democracy (notification declined or already on case) (Berzon, Stephen) (Entered: 01/30/2017)
01/30/2017	<a href="#">15</a>	NOTICE of Appearance by Jonathan David Weissglass on behalf of Center for Popular Democracy (notification declined or already on case) (Weissglass, Jonathan) (Entered: 01/30/2017)
01/30/2017	<a href="#">16</a>	NOTICE of Appearance by Connie K. Chan on behalf of Center for Popular Democracy (notification declined or already on case) (Chan, Connie) (Entered: 01/30/2017)
02/06/2017	<a href="#">17</a>	Consent MOTION to Adjourn Conference <i>scheduled for February 15, 2017</i> by Board of Governors of the Federal Reserve System. (Cortes, Edwin) (Entered: 02/06/2017)
02/07/2017		ORDER: <a href="#">17</a> Motion to Adjourn Conference is hereby GRANTED. The initial conference previously scheduled for February 15, 2017 is adjourned to <b>April 4, 2017 at 3:30 p.m.</b> in courtroom 13D South before the undersigned. Ordered by Magistrate Judge Steven M. Gold on 2/7/2017. (Gillespie, Saudia) Modified TIME OF CONFERENCE on 2/7/2017 (Gillespie, Saudia). (Entered: 02/07/2017)

02/07/2017		Set/Reset Hearings: Initial Conference set for April 4, 2017 3:30 p.m. in Courtroom 13D South before Magistrate Judge Steven M. Gold. (Gillespie, Saudia) (Entered: 02/07/2017)
04/04/2017		SCHEDULING ORDER: Due to a scheduling conflict, the initial conference scheduled for today at 3:30 p.m. is adjourned to 5:30 p.m. this evening. Ordered by Magistrate Judge Steven M. Gold on 4/4/2017. (Kaufman, Zachary) (Entered: 04/04/2017)
04/04/2017	<a href="#">18</a>	Minute Entry: Initial Conference Hearing held on 4/4/2017 before Magistrate Judge Steven M. Gold. Chan for plaintiff, Cortes for defendant. the case management schedule proposed by the parties, calling among other things for defendant to provide a Vaughn index by April 28 and adequacy of search declaration by May 16, is approved. Plaintiff will notify defendant by June 2 whether discovery demands will be made, and any motion to compel will be brought by June 30 if there is a dispute. THE COURT WILL HOLD A CONFERENCE AT 3:00 PM ON JUNE 28. The parties will submit a joint letter by June 16, identifying the issues they intend to raise at the June 28 conference and indicating whether they prefer to appear in person or by telephone. (Gillespie, Saudia) (Entered: 04/06/2017)
06/16/2017	<a href="#">19</a>	Joint MOTION to Adjourn Conference <i>and to Amend Schedule for Raising Discovery Disputes, and Joint Status Letter Updating the Court on the Status of the Action</i> by Board of Governors of the Federal Reserve System. (Cortes, Edwin) (Entered: 06/16/2017)
06/16/2017		ORDER: The joint application <a href="#">19</a> to amend the scheduling order previously entered in this case is granted. Defendant shall file supplemental search declarations by July 21, 2017, plaintiff will notify defendant if it seeks discovery, and the parties will file a joint status report by August 18, 2017. THE CONFERENCE PREVIOUSLY SET FOR JUNE 28 IS ADJOURNED WITHOUT DATE, AND WILL BE RESCHEDULED AFTER THE AUGUST 18, 2017 STATUS REPORT IS RECEIVED. Ordered by Magistrate Judge Steven M. Gold on 6/16/2017. (Gillespie, Saudia) (Entered: 06/16/2017)
08/18/2017	<a href="#">20</a>	STATUS REPORT <i>Joint Status Letter</i> by Center for Popular Democracy (Chan, Connie) (Entered: 08/18/2017)
08/21/2017		ORDER: The parties shall either file a form consenting to the reassignment of this action for all purposes to the undersigned Magistrate Judge or seek a pre-motion conference in the manner provided in the chambers practices of United States District Judge Garaufis. Ordered by Magistrate Judge Steven M. Gold on 8/21/2017. (Gillespie, Saudia) (Entered: 08/21/2017)
08/25/2017	<a href="#">21</a>	Letter <i>submitted jointly requesting that the Court approve the parties' proposed summary judgment briefing schedule</i> by Board of Governors of the Federal Reserve System (Cortes, Edwin) (Entered: 08/25/2017)
08/25/2017		ORDER: The parties' <a href="#">21</a> joint request that the court waive its pre-motion conference requirement is DENIED, as the parties have not provided the court with any reasons as to why this requirement should be waived. The parties are DIRECTED to confer and contact the court's Deputy at 718-613-2545 to schedule a pre-motion conference. Ordered by Judge Nicholas G. Garaufis on 8/25/2017. (Weigel, Jessica) (Entered: 08/25/2017)
09/25/2017	<a href="#">22</a>	Motion to Appear by Telephone <i>and [Proposed] Order</i> by Center for Popular Democracy. (Chan, Connie) (Entered: 09/25/2017)
09/27/2017		ORDER re Plaintiff's <a href="#">22</a> Application to Appear by Telephone; the Application is granted. Ordered by Judge Nicholas G. Garaufis on 9/27/2017.(Pressman, Michael) (Entered: 09/27/2017)
10/05/2017	<a href="#">23</a>	Motion to Appear by Telephone <i>and [Proposed] Order</i> by Center for Popular Democracy. (Weissglass, Jonathan) (Entered: 10/05/2017)
10/10/2017		ORDER re Plaintiff's <a href="#">23</a> Application to Appear by Telephone; the Application is granted. Ordered by Judge Nicholas G. Garaufis on 10/10/2017. (Pressman, Michael) (Entered: 10/10/2017)
10/12/2017		Minute Entry for proceedings held before Judge Nicholas G. Garaufis: Pre-Motion Conference held on 10/11/2017. Counsel for Defendant in person, counsel for Plaintiff present via telephone. The court granted the parties leave to cross-move for summary judgment and set the following briefing schedule: Defendant's motion for summary judgment is due on December 11, 2017; Plaintiff's cross-motion for summary judgment and opposition to Defendant's motion are due on February 9, 2018; Defendant's reply in support of its motion, if any, and opposition to Plaintiff's cross-motion are due on March 26, 2018; and Plaintiff's reply in support of its motion, if any, is due on May 10, 2018. The court encouraged the parties to confer and contact Magistrate Judge Steven M. Gold to discuss settlement. (Court Reporter Lisa Schmid.) (Pressman, Michael) (Entered: 10/12/2017)

12/05/2017	<a href="#">24</a>	Consent MOTION for Leave to File Excess Pages by Board of Governors of the Federal Reserve System. (Cortes, Edwin) (Entered: 12/05/2017)
12/11/2017	<a href="#">25</a>	Letter <i>serving motion for summary judgment on Plaintiff</i> by Board of Governors of the Federal Reserve System (Cortes, Edwin) (Entered: 12/11/2017)
12/14/2017	<a href="#">26</a>	ORDER granting <a href="#">24</a> Consent Motion for Leave to File Excess Pages by Board of Governors of the Federal Reserve System. Ordered by Judge Nicholas G. Garaufis on 12/13/2017. (Williams, Erica) (Entered: 12/14/2017)
02/02/2018	<a href="#">27</a>	NOTICE of Consent to Change Attorney by Jonathan David Weissglass (Attachments: # <a href="#">1</a> Proposed Order) (Weissglass, Jonathan) (Entered: 02/02/2018)
02/06/2018	<a href="#">28</a>	ORDER Granting re: <a href="#">27</a> Motion to Withdraw of Jonathan David Weissglass, counsel for Plaintiff. Ordered by Judge Nicholas G. Garaufis on 2/5/2018. (Williams, Erica) (Entered: 02/06/2018)
02/10/2018	<a href="#">29</a>	MOTION for Summary Judgment by Center for Popular Democracy. (Chan, Connie) (Entered: 02/10/2018)
02/10/2018		Motions terminated, docketed incorrectly: <a href="#">29</a> MOTION for Summary Judgment filed by Center for Popular Democracy. The document is not a motion, but a cover letter noting service of motion papers. Refiling is not necessary and further action is not needed unless you are contacted by the court. (Lee, Tiffeny) (Entered: 02/12/2018)
03/09/2018	<a href="#">30</a>	Joint MOTION to Amend/Correct/Supplement <i>briefing schedule on the parties' cross-motions for summary judgment</i> by Board of Governors of the Federal Reserve System. (Cortes, Edwin) (Entered: 03/09/2018)
03/14/2018	<a href="#">31</a>	ORDER granting <a href="#">30</a> Motion to Amend Briefing Schedule. Defendant's reply in support of its motion, if any, and opposition to Plaintiff's cross-motion are due on April 16, 2018; Plaintiff's reply in support of its motion, if any, is due on June 11, 2018; and Defendant to file fully briefed cross-motions for summary judgment on June 13, 2018. So Ordered by Judge Nicholas G. Garaufis on 3/13/2018. (Lee, Tiffeny) (Entered: 03/14/2018)
04/16/2018	<a href="#">32</a>	Letter <i>enclosing defendant's opposition to plaintiff's cross-motion for summary judgment and reply in further support of defendant's motion for summary judgment</i> by Board of Governors of the Federal Reserve System (Cortes, Edwin) (Entered: 04/16/2018)
05/29/2018	<a href="#">33</a>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 150, receipt number 0207-10466379. by Center for Popular Democracy. (Attachments: # <a href="#">1</a> Affidavit) (Kushner, Andrew) (Entered: 05/29/2018)
06/01/2018	<a href="#">34</a>	Consent MOTION for Leave to File Excess Pages by Center for Popular Democracy. (Brown, Eric) (Entered: 06/01/2018)
06/06/2018	<a href="#">35</a>	NOTICE: The Court has reviewed attorney Andrew Kushner's application to proceed pro hac vice. See docket entry <a href="#">33</a> . The affidavit in support of the motion is outdated. Counsel shall complete the attached updated form and file it on ECF using the event "letter". Counsel is encouraged to contact chambers at 718-613-2560 after filing is complete. (Gillespie, Saudia) (Entered: 06/06/2018)
06/06/2018	<a href="#">36</a>	ORDER granting <a href="#">34</a> Motion for Leave to File Excess Pages. So Ordered by Judge Nicholas G. Garaufis on 6/1/2018. (Lee, Tiffeny) (Entered: 06/06/2018)
06/07/2018	<a href="#">37</a>	Letter <i>Affidavit of Andrew Kushner in Support of Motion to Admit Counsel Pro Hac Vice</i> by Center for Popular Democracy (Kushner, Andrew) (Entered: 06/07/2018)
06/07/2018		ORDER: Granting <a href="#">33</a> Motion for Leave to Appear Pro Hac Vice. Attorney Andrew Kushner shall register for ECF, registration is available online at the NYEDs homepage. Once registered, the attorney shall file a notice of appearance and ensure that s/he receives electronic notification of activity in this case. Also, the attorney shall ensure that the 150 admission fee be submitted to the Clerks Office via filing the event <i>Pro Hac Vice Filing Fee</i> . Ordered by Magistrate Judge Steven M. Gold on 6/7/2018. (Gillespie, Saudia) (Entered: 06/07/2018)
06/07/2018		Incorrect Case/Document/Entry Information: Please disregard the Status Report Order dated 6/7/2018. The entry was inadvertently filed. Docket entry deleted. (Gillespie, Saudia) (Entered: 06/07/2018)
06/07/2018	<a href="#">38</a>	NOTICE of Appearance by Andrew Kushner on behalf of Center for Popular Democracy (notification declined or already on case) (Kushner, Andrew) (Entered: 06/07/2018)



06/11/2018	<a href="#">39</a>	Letter <i>Enclosing Plaintiff's memorandum of law in further support of plaintiff's motion for summary judgment</i> by Center for Popular Democracy (Brown, Eric) (Entered: 06/11/2018)
06/13/2018	<a href="#">40</a>	MOTION for Summary Judgment <i>served by Defendant</i> by Board of Governors of the Federal Reserve System. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Rule 56.1 Statement, # <a href="#">3</a> Edwin R. Cortes Declaration, # <a href="#">4</a> Ex. 1 to Cortes Decl., # <a href="#">5</a> Ex. A to Ex. 1 of the Cortes Decl., # <a href="#">6</a> Ex. B to Ex. 1 of the Cortes Decl., # <a href="#">7</a> Ex. C to Ex. 1 of the Cortes Decl., # <a href="#">8</a> Ex. D to Ex. 1 of the Cortes Decl., # <a href="#">9</a> Ex. E to Ex. 1 of the Cortes Decl., # <a href="#">10</a> Ex. F to Ex. 1 of the Cortes Decl., # <a href="#">11</a> Ex. G to Ex. 1 of the Cortes Decl., # <a href="#">12</a> Ex. 2 to Cortes Decl., # <a href="#">13</a> Ex. 3 to Cortes Decl., # <a href="#">14</a> Ex. 4 to Cortes Decl., # <a href="#">15</a> Ex. 5 to Cortes Decl., # <a href="#">16</a> Ex. 6 to Cortes Decl.) (Cortes, Edwin) (Entered: 06/13/2018)
06/13/2018	<a href="#">41</a>	Cross MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment served by Plaintiff</i> by Board of Governors of the Federal Reserve System. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Plaintiff's 56.1 Statement, # <a href="#">3</a> Plaintiff's Response to Defendant's Rule 56.1 Statement, # <a href="#">4</a> Declaration of Connie Chan with exhibits, # <a href="#">5</a> Declaration of Shawn Sebastian with exhibits) (Cortes, Edwin) (Entered: 06/13/2018)
06/13/2018	<a href="#">42</a>	RESPONSE in Opposition re <a href="#">41</a> Cross MOTION for Summary Judgment <i>and Opposition to Defendant's Motion for Summary Judgment served by Plaintiff and Reply in Further Support of Defendant's Motion for Summary Judgment</i> filed by Board of Governors of the Federal Reserve System. (Attachments: # <a href="#">1</a> Defendants response to Plaintiffs Rule 56.1 statement, # <a href="#">2</a> Defendant's Consolidated Rule 56.1 Statement, # <a href="#">3</a> Reply Declaration of Edwin Cortes, # <a href="#">4</a> Ex. 1 to the Reply Cortes Decl.) (Cortes, Edwin) (Entered: 06/13/2018)
06/13/2018	<a href="#">43</a>	REPLY in Support of <i>Plaintiff's Cross-Motion for Summary Judgment served by Plaintiff</i> filed by Board of Governors of the Federal Reserve System. (Attachments: # <a href="#">1</a> Plaintiff's Consolidated Rule 56.1 Statement) (Cortes, Edwin) (Entered: 06/13/2018)
06/13/2018	<a href="#">44</a>	Letter <i>enclosing fully briefed motions for summary judgment</i> by Board of Governors of the Federal Reserve System (Cortes, Edwin) (Entered: 06/13/2018)
06/15/2018	<a href="#">45</a>	NOTICE of Consent to Change Attorney by Connie K. Chan (Attachments: # <a href="#">1</a> Proposed Order) (Chan, Connie) Modified to motion event on 6/20/2018 (Lee, Tiffeny). (Entered: 06/15/2018)
06/20/2018	<a href="#">46</a>	ORDER granting <a href="#">45</a> Motion to Withdraw as Attorney. Attorney Connie K. Chan terminated. So Ordered by Judge Nicholas G. Garaufis on 6/19/2018. (Lee, Tiffeny) (Entered: 06/20/2018)
01/18/2019	<a href="#">47</a>	NOTICE of Appearance by Kathleen Anne Mahoney on behalf of Board of Governors of the Federal Reserve System (aty to be noticed) (Mahoney, Kathleen) (Entered: 01/18/2019)
01/18/2019	<a href="#">48</a>	MOTION to Withdraw as Attorney by Board of Governors of the Federal Reserve System. (Attachments: # <a href="#">1</a> Edwin Cortes Declaration) (Cortes, Edwin) (Entered: 01/18/2019)
01/18/2019		ORDER: Granting <a href="#">48</a> Motion to Withdraw as Attorney. Attorney Edwin R. Cortes terminated. Ordered by Magistrate Judge Steven M. Gold on 1/18/2019. (Gillespie, Saudia) (Entered: 01/18/2019)

07/16/2019	<p><a href="#">49</a> MEMORANDUM &amp; ORDER, For the reasons stated above. Defendant's motion for summary judgment is GRANTED IN PART and DENIED IN PART, and Plaintiff's cross-motion for summary judgment is GRANTED IN PART and DENIED IN PART. Defendant is directed to take the following actions consistent with this order; (1) search the documents of all members of the Board of Governors from the relevant period; (2) expand the search terms used to search emails and other records to include obvious alternative search terms, including keywords and the names or e-mail addresses of all relevant individuals, or provide sufficient explanations as to why particular proposed searches would constitute an unreasonable burden; (3) search records at the Reserve Banks that constitute "Records of the Board" within the meaning of 12 C.F.R. § 261.2(i)(l), including those records concerning presidential appointments and assessments that might be responsive to Part II of the FOIA Request, records relating to the Board's oversight of appointments of Reserve Bank directors that might be responsive to Parts IV and V of the FOIA Request, and records of annual assessments of Reserve Bank presidents; and (4) search for the Annotated Bank Evaluation summaries and documents referencing them in connection with presidential appointments. Defendant must then produce all responsive documents not covered by a FOIA exemption. With respect to Plaintiff's contention that Defendant failed to pursue a "clear and certain lead" to responsive documents provided by the Board of Governors' Frequently Asked Questions web page and a summary of the Board's February 19, 2016 meeting ("see supra Part 111(A)(3)(b)), the court finds Defendant's search to have been adequate. Defendant's motion for summary judgment is also granted with respect to its withholding of information under exemptions 5 and 6 of FOIA. So Ordered by Judge Nicholas G. Garaufis on 7/15/2019. (Lee, Tiffeny) (Entered: 07/16/2019)</p>
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